MESSAGE

OF THE

GOVERNOR OF OHIO,

TO THE

FIFTY-SECOND GENERAL ASSEMBLY,

AT THE

ADJOURNED SESSION,

COMMENCING JANUARY 5, 1857.

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GOVERNOR'S MESSAGE.

Fellow-citizens of the Senate,
and of the House of Representatives:

I welcome you, with great pleasure, to the first session of the Genera Assembly in the New State House.

In simplicity of Design, in harmony of Proportions, and in massiv solidity of Structure, it stands, and may it long stand, a monument and symbol of the clear Faith, the well ordered Institutions, and the endu ring Greatness of the People whose House it is.

The year which has just closed, has been marked by the steady ad vance of the great State, whose interests, for the present, have been con fided to our care, in all the elements of wealth, honor and power.

The returns of Agriculture, though less abundant than in some mor favored years, have yet been sufficient to supply abundantly our want at home, and to furnish a large surplus for exportation. The product of Manufacturing Industry have been steadily and greatly augmented The transactions of Commerce have multiplied in number and increase in importance. Vast mineral treasures, hitherto comparatively inac cessible, have been brought, by the extension of Railroads, within th easy reach of enterprise, and made tributary to the general progress.

While the development and enlargement of our material resource have been ensured by these and similar agencies, other instrumentalitie have been actively employed in the promotion of the moral and intellec tual welfare of the people. Public order and private rights have bee maintained by an enlightened and impartial administration of justice Institutions of Education have diffused, among the masses, the power o knowledge; Institutions of Benevolence have ministered to the children o sorrow, the wise and noble charity of the State; Institutions of Relig ion, sustained by the voluntary contributions and ready sympathies o the people, and made efficient by the self-denying labors of teachers an ministers, have lent their powerful support to public virtue and order

ile they have enforced the obligations of private duty, and cherished aspirations of individual faith.

Nor are these the only benefits which demand our grateful acknowlgments. Peace is the opportunity of progress, and peace, unbroken, s prevailed throughout our borders. The Pestilence which, in former urs, invaded and desolated so many homes, has not been permitted to proach us. Health, in unusual measure, has cheered our homes and imated our labors.

From this pleasing survey, it is my duty to proceed to a more detailed position of the condition of the State.

The primary interests of Ohio connect themselves closely with the nership and cultivation of the soil.

The whole area of the State, according to the computations of the deral authorities, contains 39,964 square miles, or 25,576,960 acres. little more than half a century ago, not an acre of this area had been ared for cultivation, or even reduced to private ownership.

The Federal Government asserted an exclusive proprietary title in the ıole, except that portion included in the Connecticut Reservation. ıe hardy pioneers, who pushed forward into the wilderness, were comlled to buy of the Government, or its grantees, the very soil which they bdued. The whole burden of contributions for the support of the ate and its institutions, was cast upon the land thus purchased. The ıd of the Government was wholly exempt; and the contributions of e Government, by grants of land in aid of public improvements, were significant in comparison with the enhanced value of the ungranted ıds.

Notwithstanding these serious disadvantages, the process of purchase ıd settlement has gone steadily forward until more than twelve milons of acres, occupied for agricultural purposes, and nearly thirteen illions more, classed as uncultivated, have become private property, and ntribute to the public revenue.

When, in 1802, Ohio became a State in the American Union, every her of the seventeen members of the confederacy was more populous ıd better cultivated, and six had larger areas. Now, although the numer of the States has increased to thirty-one, of which nineteen are larger an Ohio, not one surpasses her in the extent and variety of her agriıltural products.

A general outline of the gradual conversion of public into private ownership, will reward attention.

Prior to 1808 the returns of lands held by individual proprietors meagre and unsatisfactory. In 1810, the number of acres thus owı was 9,953,101. In 1820 this quantity had increased to 13,319,043 acr in 1830, estimating the quantity for two counties from which there w no returns, to 16,199,682 acres ; in 1840, estimating for one county, to 1 740,281 acres ; in 1850 to 23,981,350 acres ; and in 1855 to 25,220,(acres. These quantities are exclusive of Town and City lots. Nea all the land in the State, it will be observed, has thus become private p: perty and subject to taxation.

The facts disclosed by these returns suggest a question of the corre ness of the Federal estimate of the area of the State. The differei between the returns of lands for 1855, and the entire area as computed Washington, is only 256,877 acres. It can hardly be doubted that larger quantity than this is included within the limits of the fifteen hı dred cities and towns enumerated in the Equalization Report for 18 and in the exemptions from taxation allowed by law. There remair moreover on the 30th of June last, according to the statement of 1 Commissioner of the General Land Office, which I herewith transn and to which I shall hereafter have occasion to refer, 43,553 acres of pı lic land undisposed of, within the State. These facts render it hig probable that the true area of the State exceeds the estimate hithe received as correct.

However this may be, the gratifying fact is certain that federal own ship in Ohio approaches its termination, and that the drafts upon her ı sources for the purchase of the soil have nearly ceased. Henceforth unembarrassed energies of her people may be directed to the fullest p sible development of all her resources.

The General Assembly will cheerfully recognize the duty of extendi to the great Agricultural interest of the State all proper securities a encouragements. To this end the State Board of Agriculture was ganized in 1846, and provision was at the same time made for the bet organization and greater usefulness of County Agricultural Societi The wisdom of this legislation has been amply vindicated by its resu Through the labors of the State Board and of the County Societies, ag cultural improvement has been beneficially stimulated. Their ann Reports embody valuable contributions to agricultural knowledge, effect of which is becoming more and more visible in the increased sk intelligence and energy with which the labors of the farm are execut and in the increased production with which they are rewarded.

I respectfully submit to your consideration the propriety of increasing the funds set apart for appropriation by the State Board and County Societies to Premiums for excellence in production and in management, and of making such other provision for the increase and diffusion of agricultural knowledge as your own experience and observation suggest.

The proportion of our population and of our means engaged in Mining, Mechanical and Manufacturing Industry, is steadily and largely increasing. These pursuits of Industry supply a great market, constantly becoming greater, for the productions of agriculture. Care should be taken that the financial burdens of the State be not permitted to press, in disproportioned measure, upon them.

I have already referred to the growing extent and importance of our Commerce. No inconsiderable amount of Revenue is collected by the General Government from duties upon the direct importations of our merchants from foreign countries. The Treaty of Reciprocity with Canada has enlarged the field and stimulated the activity of mercantile enterprise, especially in the northern part of the State. And the great interchange of commodities with our sister States and between different parts of our own Commonwealth, give continual employment to large resources and active energies. Wise legislation is never employed in arresting the development or in cramping the activity of commercial intercourse.

Among the instrumentalities by means of which intercourse is carried on between different parts of the State and different sections of the country, Railroads may now be regarded as the most important. The rapidity and ease of transit by rail gives to that mode of conveyance a decided preference over every other; and the number who commit their lives and property to the skill and fidelity of Railroad conductors and other employees, already vast, becomes, hourly, greater. The number of miles of Railroad in actual operation in this State in 1855, according to a statement made by the late Secretary of State, was 2593. The present number is about two thousand eight hundred. These Railroads have cost about ninety millions of dollars; more than a million of passengers are annually carried upon them; and their gross receipts are not less than six millions of dollars a year. It is doubtless within bounds to estimate the probable increase for the next ten years, in extent, cost, transportation and income, at one quarter the present amounts. This vast interest, affecting vitally so many other interests, has grown suddenly to

its present dimensions, without system, without general organization, a in some important respects, without due responsibility. The benefits Railroads are such, and their safety and prosperity are so identified w the safety and prosperity of the people, that no proper protection or su port should be withheld from them; while the dangers from mismana ment are so great that no reasonable precaution against it should omitted. I respectfully recommend, therefore, the organization of Board of Railroad Commissioners, with power to exercise a general pervision over the construction and operation of the several roads, a required to report from time to time to the Governor, for the informat of the General Assembly, a full statement of their condition and mana ment. I cannot doubt that the salutary influence of such legislati would be speedily manifest in the increased value of the roads, and greater security of travelers and freighters.

A sound currency and secure exchanges are not less important to t intercourse of society than safe means of transportation. In almost a and perhaps, in all civilized communities, the currency is composed coin and of circulating notes, convertible into coin, supplied either rectly by the Government, or by Banks, organized under its authority. this State the powers, functions, duties and liabilities of Banks ha been defined by law; sometimes by special laws, under the name charters, and sometimes by general laws, amendable and repealable the pleasure of the Legislature. Whatever difference of opinion may ex upon the abstract questions relative to a mixed currency, none, I app hend, will be found among practical men in regard to the certainty th such a currency will continue, for an indefinite period, to constitute actual medium of purchase and sale, in this as well as in every other St of the Confederacy. Certainly, no power, less ample than that of Federal Government, is competent to the effectual exclusion of su notes from circulation as money; and no present indication sugge any probability that that power will be exercised for that purpose.

While opinion, upon this point, thus approaches unanimity, the pu lic judgment, in this State, remains divided upon the question, whetl the franchise of banking should be limited to a defined number of ins tutions, or extended to all who are willing to give the required secu ties and guaranties against abuse. I have, upon a former occasion, e pressed my preference for the most liberal extension of the franchi with such restrictions upon its exercise as will effectually protect t community against a mere paper money currency.

The act to incorporate the Bank of Ohio, and other Banks, passed April 11, 1856, and submitted to the people in conformity with the provisions of the Constitution, on the second Tuesday of October last, not having been approved by a majority of all the electors voting at that election, has failed to become a law. More recently the Supreme Court of the State has unanimously decided that the act to authorize free banking, passed March 21, 1851, but supposed by some to have been abrogated by the new Constitution, remains in full force, unaffected by any provision of that instrument. I submit to your better judgment whether sound policy does not suggest the expediency of observing the practical operation of this act, and of so amending it from time to time as may be necessary to protect and secure the interests of the community, without invoking the decision of the people upon a new banking law.

Considerable practical difficulty has arisen in carrying into execution the provisions of the act of April 1, 1856, for the taxation of property employed in banking. To determine the precise rate to be levied upon the property and means included in the first statement, required by the act, in order to produce the sum which would be produced by the general rate if levied upon the second, and to levy that precise rate when ascertained, prove, not unfrequently, to be complex and embarrassing operations. The requirement, also, that the gross amount of property and means, embraced in the first statement, shall be entered upon the duplicate for taxation and taxed by a different and usually much less rate than that levied upon the property of individuals, is calculated to produce an impression in the public mind, that property employed in banking is not charged by the act with its fair proportion of the public burdens. Such an impression, in my judgment, cannot fail to prove injurious. It is the true interest of banking institutions, as well as of the people, that all legislation concerning them should avoid even the appearance of special favor. The most absolute impartiality in the distribution of burdens is demanded by every consideration of policy, as well as of justice. I, therefore, respectfully suggest such amendments of the law as will require all property employed in banking, to be embraced in one schedule, and entered upon the duplicate for taxation at the same rate as is imposed on other property.

The Constitution authorizes the establishment, in the Secretary of State's Office, of a Bureau of Statistics. Some provision for the col-

lection of statistical information is already made. The Township Assessors are required to make returns of the quantity of wheat and corn produced in their several Townships each year. The District Assessors are required to report, under a certain classification, once in six years, the number of acres of taxable land in the different counties. Various acts require the collection of other statistical information, more or less specific, in relation, to production, education, population and crime. Under these acts, although from want of system and of adequate means of enforcement they are often very imperfectly executed, a large amount of useful information is collected. It is scattered, however, through many disconnected reports, and consequently fails to yield the full advantage which might be derived from it. To combine this, and collect other similar information, and to present the whole, so arranged as to exhibit the mutual relations of facts and classes of facts, together with their general bearing upon the public welfare, is the proper function of a Bureau of Statistics. I can perceive no insurmountable obstacle to the collection of all, or nearly all, the information required through agencies already existing, without incurring much new expense. For the present, little more would be necessary than to provide for the appointment of a thoroughly qualified person to superintend the whole work, prepare and prescribe all necessary forms, and to receive, classify, and report the returns. I cannot doubt that such a provision for the collection and publication of the statistics of the State, Agricultural, Industrial, Social and Educational, would repay ten fold its cost in benefits.

Under the auspices of former legislation, a Geological Survey of the State was commenced and prosecuted for some time with valuable results. I respectfully submit to your consideration whether the time has not arrived for the resumption of that work, and whether there should not be combined with it, such an Agricultural examination as will fully ascertain and disclose the productive capacity of the different soils which compose the surface of the State, and the physical laws and influences by which that productive capacity is determined.

In accordance with the provisions of an act of the last session, I have caused to be printed the Reports of the Auditor and Treasurer of State of the State House Commissioners, of the several Boards of the Benevolent Institutions, of the Directors of the Penitentiary, and of nearly al the other officers and Boards who seem to fall within its requirements

These Reports are now ready, and subject to your disposition. T long delay in printing the Reports of the Public Officers after the asse bling of the Legislature, and the consequent want of necessary inform tion relating to public affairs has, heretofore, proved a most serious o struction to Legislative business. I congratulate you upon the almc complete removal of this obstruction, under the salutary operation of t act of the last session; and I suggest the extension of its provisions, as to embrace every officer and board having charge of any departme of the public service, not now included by it.

I refer you to the Reports of the State Auditor, and State Treasur for full information concerning the financial condition of the State.

The state of the Public Debt, the amount and distribution of Taxatic and the uses of revenue, will necessarily engage your careful attention

The Debt of the State had its origin in Internal Improvements. Nea ly the whole of it was contracted to defray the cost of the State Canal and to provide for subscriptions in aid of Turnpikes, Railways and Canal projected and controlled by companies. Whatever may be thought c the policy of these undertakings, no one doubts the duty of the Stat to fulfil with scrupulous exactitude, her duties to her creditors. On thi subject, happily, there is no diversity of opinion in Ohio.

To pay the interest of this debt; to reduce and finally extinguish th principal; to provide for the necessary expenses of the State Govern ment and Public Institutions; and to defray the charges of county, city township and district administrations, are the legitimate objects o taxation. To insure responsibility for the disbursement of revenue, an thereby promote economy, the constitution strictly enjoins that n money shall be drawn from the Treasury except in pursuance of specifi appropriations made by law. The faithful observance of this provisior should be ensured by your care.

It is the duty of the public officer to disburse appropriations honestly, economically, and solely for the purposes to which they are applicable. He has no right to go beyond them, either by over-drafts upon the treasury, or by contracts in behalf of the State for work to be done or supplies to be furnished within the time for which the appropriations are made; nor, unless specially authorized, has he any right to contract any other obligations of any description which will require future appropriations. The Constitution contemplates the payment of each year's expenses out of each year's income. It sanctions

to debts for the expenses of one year to be paid by increased taxation the next.

It will be seen on reference to the full and able report of the State Auditor, that during the last year, in the absence of the salutary check of an annual legislative session, the expenditures in several departments of the public service greatly exceeded the amount properly applicable to them, and that large debts were thus contracted, the payment of which was cast upon the revenues for the service of 1855–6.

The amount of these debts has not been precisely ascertained. The amount actually paid during the year, was $517,373 65; and the balance unascertained, is estimated by the Auditor at $100,000; making an aggregate of debts to the amount of $617,373 65, which should either have been paid out of the revenues of 1854–5, or should not have been contracted at all.

The effect of this anticipation of revenues will be clearly presented by the following statement:

The balance nominally in the Treasury on the 15th Nov. 1855, according to the Report of the late Auditor of State, was		$703,570 80
To this sum should be added the Bank Taxes due in 1854–5, but received in 1855–6	$180,961 20	
Less this sum refunded as having been illegally collected	60,180 43	119,760 77
Making the total apparent means on 15th Nov. 1855		$823,350 85
From which, in order to ascertain the real cash means, should be deducted the amount of debts of 1854–5, paid in 1855–6	$517,373 65	
And also the unascertained balance of such debts	100,000 00	617,373 65
Making the balance of means apparently applicable to the service of 1855–6		$205,977 20
But of the balance reported by the late Auditor, the sum of $225,819 30 never came into the hands of the present Treasurer, being retained by the late Treasurer as paid for exchange, or having been placed by him with depositaries who have used the money and have hitherto failed to restore it to the Treasury. There should, therefore, be deducted from the above apparent balance, the further sum of		225,819 30
Showing instead of a balance of $823,350 85, an actual deficit of available means, as a charge upon the revenues of 1855–6, of		19,842 10

The facts exhibit in a clear light the importance of guarding against expenditures beyond appropriations. The Constitution permits no debt to be contracted, on behalf of the State, without express legisla-

tive warrant. It restricts the total amount of all indebtedness, to suppl all deficits and failures in revenue or expenses not otherwise provided fo to the sum of $750,000. As a security against unauthorized debts, i expressly declares that no money shall be paid on any claim, the sub ject matter of which shall not have been provided for by existing law unless allowed by two thirds of the members elected to each branch o the General Assembly. Experience has demonstrated that even thes provisions are not adequate guarantees against the unauthorized con tracting of debts within a single biennial period to an amount exceed ing three fourths of the total indebtedness which can be incurred fo such purposes by the Legislature itself.

It is proper, to say here, however, that there was transferred to Sink- ing Fund of Public Works Income, on the 15th Nov. 1855, the sum of $200,000. If this transfer had not been made, the Public Works Expen- ses for 1854–5, would have been paid out of the Public Works Revenue for the same time; and the apparent balance of the Sinking Fund would have been $200,000 less.

It is due, also, to the late State Auditor, to say, that the balance of 1855 was correctly stated from the books in his office, and that the unauthorized debts and liabilities which absorbed it, were contracted against his earn- est and repeated remonstrances I respectfully invite your attention to a suggestion made by him, of provision by law, that parties, by whose unauthorized acts debts of this character may be hereafter crea- ted, shall be held personally responsible for them.

The following table will present a comparative view of the Receipts and Disbursements for the two last fiscal years :

RECEIPTS

For the Fiscal years ending November 15, 1855, *and November* 15, 1856.

	1854–5	1855–6
Balance reported in Treasury at close of last Fiscal year,---	$584,681 00	$703,370 08
TAXES.		
Proceeds of State Taxes including delinquencies, viz:---		
For State Debt or Sinking Fund,---	1,014,749 49	838,234 82
" " Expenses, or, General Revenue Fund,	566,448 04	501,403 69
" " Common School Fund,---	1,209,418 19	1,249,122 94
" District School Library Fund,---	80,639 75	83,257 20
Total State Taxes---	$2,871,255 49	$2,672,018 45

RECEIPTS—*Continued.*

	1854–5	1855–6
edlers' Licenses, Show Licences, and Auction Duties,	7,107 74	6,366 48
roceeds of Sales of School and Ministerial Lands,	129,332 18	126,565 16
rincipal and Interest of Surplus Revenue	52,906 66	52,585 04
eceipts from Sales of Western Reserve School Lands,	----------	4,742 90
eceipts from Sales of Virginia Military School Lands,	----------	5,063 13
ividends on R. Road, Canal and Turnpike Stocks,	33,400 25	35,968 07
roceeds of Tolls and Rent of National Road,	6,010 64	3,052 50
" " " on W. Reserve and M. Road	2,141 04	4,252 14
" " Sales of Land by B'd. of P. Works,	4,944 73	3,957 60
" " Convict Labor of O. Penitentiary,	64,249 69	56,155 52
Receipts on act. of Three per cent Fund,	2,609 04	263 30
" from Banks for taxes due prior to Nov. 1, 1855,	----------	180,961 20
Receipts from Banks for taxes due May and Nov. 1856,	----------	44,444 49
Receipts from Free Banks on account of Expenses incurred,	4,223 71	1,001 44
Canal Tolls, Water Rents and Fines,	444,827 76	388,463 92
Ohio University,	2,513 84	----------
Miscellaneous items,	7,650 51	2,292 27
Totals,	$4,215,854 28	$3,588,353 81

DISBURSEMENTS

From the State Treasary for all purposes during the years ending November 15, 1855, *and November* 15, 1856*; the payments during the last year, on account of current expenditures and on account of debts of preceding year, being placed in separate columns.*

Purposes.	1854–5.	1855–6.	To pay debts incurr'd prior to Nov15,'55
Common School Fund	$1,218,394 60	$1,232,216 96	----------
District School Library	84,095 35	82,906 57	----------
Interest on the Public Debt	977,345 69	961,322 92	----------
Redemption of the Public Debt	466,681 01		----------
Expenses of the Fund Commission'rs	11,736 18	3,034 54	----------

DISBURSEMENTS—*Continued.*

Purposes.	1854–5	1855–6	To pay debts incurr'd prior to Nov 15,'55
Superintendence and Repairs of Canals	290,571 56	331,615 52	$138,090 18
Executive Officers	7,394 46	9,905 50	----------
Comissioner of Common Schools and Librarian	2,04 00		----------
Judiciary	56,164 83	56,789 91	----------
Reports of Supreme Court	1,119 60		----------
Ohio Legislature	105 00	70,117 93	----------
Printing--Legislative and Executive	6,403 13	22,723 77	----------
Stationary	6,235 67	21,612 78	----------
Distribution of Laws and Journals	509 51	1,010 73	----------
New State House	111,633 80	43,424 92	249,768 71
Deaf and Dumb Asylum	14,838 03	18,854 45	3,488 00
Blind Asylum	12,954 22	14,302 07	2,300 00
Columbus Lunatic Asylum	26,294 06	40,233 15	24,025 41
Dayton " "	62,665 04	28,978 75	47,515 88
Newburgh " "		32,004 81	48,434 47
Officers and Guards of Ohio Penitentiary	22,890 51	24,753 96	----------
General Expenses of Ohio Penitentiary	41,202 05	46,022 69	----------
Prosecution and Transportation of Convicts	22,367 44	24,789 54	----------
Clerks in Public Offices	12,814 33	12,727 11	----------
Military, Public Arms, &c	1,704 23	1,714 20	----------
Governor's Contingent Fund	760 46	975 24	----------
Auditor's " "	1,726 30	1,532 25	----------
Treasurer's " "	1,285 57	1,418 76	----------
Secretary's " "	864 92	1,910 98	----------
Attorney General's "	163 14	333 18	----------
School Commissioner's "	911 81	722 02	----------
Expenses of the Library	2,133 28	1,512 45	----------
Furnishing Legislative Halls	900 00	1,954 95	----------
Treasurers' Mileage	1,609 93	1,696 55	----------
Taxes Refunded	3,084 10	63,152 57	----------
Fuel and Lights	590 22	4,117 88	----------
State Board of Agriculture	3,000 00	2,813 51	----------
Expenses of Free Banks	4,409 63	1,238 32	
Three per cent. Fund paid to Counties	8,293 12	2,609 04	----------
Salary of Secretary of School Commissioners	----------	300 00	----------
Expenses of Legislative Committtees	----------	3,775 30	
Payments for Building and Repairs on Deaf and Dumb Asylum	----------	7,956 77	
Payments for Expenses of Presidential Election	----------	2,590 95	----------

DISBURSEMENTS—*Continued.*

Purposes.	1854–5.	1855–6.	To pay debts incurr'd prior to Nov 15,'55
Payments of Special Appropriations for Claims	----------	5,749 45	----------
Payments from Governor's Contingent Fund by special order of the Legislature	----------	1,523 75	----------
Payments for Swan's Revised Statutes	2,500 00	----------	3,750 00
Miscellaneous Items	19,181 44	653 42	----------
Total amount of Drafts Issued	$3,509,574 23	$3,189,600 12	$517,372 65
" " " Redeemed	3,512,484 20	3,588,353 81	----------
Balance in Treasury 15th Nov	$703,370 08	$579,353 81	----------

The foregoing statements exhibit these facts:

FIRST:

That the apparent expenditures of 1854–5, were		$3,509,574 23
But to this amount should be added debts of 1854–5, paid 1856	$517,372 65	
And the estimated am't of such debts yet unpaid,	100,000 00	
		617,372 65
Making the aggregate of actual expenditures,		4,036,946 88
From which should be deducted payments in reduction of public debt,		466,681 01
Making the amount of current expenditure for 1854–5,		$3,570,255 87

AND SECONDLY:

That the apparent expenditures of 1855–6, were	$3,706,972 81	
From which should be deducted the amount paid debts of 1854–5,	517,372 65	
Making the true amount of current expenditure for 1855–6		3,189,600 16
And showing the expenditures of 1855–6, less than those of 1854–5, by		380,665 71

It will not escape attention, that the current expenditure of 1855–6, was largely increased by the biennial session of the Legislature in 1856, whereas, no session was held in 1855. This difference being taken into the account, the balance in favor of 1855–6 will be better appreciated.

I beg leave to submit another statement, intended to exhibit the property basis of the taxation which supplies the means of these expenditures, and the taxes levied thereon, not only for State, but also for County, ownship, and other local purposes.

I. TAXABLE PROPERTY VALUATION.

	1854–5.	1855–6.
Number of acres,	25,220,083	25,191,639
Value of Lands,	$432,261,785	$433,245,177
" " Towns,	145,596,754	147,389,310
" " Chattels,	283,018,815	240,026,550
Total Taxable valuation,	$860,877,354	$820,661,037

II. STATE TAXES.

	1854–5.	1855–6.
For Sinking Fund,	$860,877 35 4	$574,456 33 0
" General Revenue Fund,	516,526 41 2	820,669 37 0
" State Common School Fund,	1,291,316 02 7	1,231,007 13 0
" District School Library Fund,	86,087 72 3	.....
Total State Taxes,	$2,754,807 51 6	$2,626,132 83 0

III. COUNTY TAXES.

	1854–5.	1855–6.
For County Expenses,	$1,188,568 29 2	$903,803 35 2
" Bridge Purposes,	332,078 65 3	229,065 07 2
" Poor "	238,332 84 5	212,213 33 3
" Building "	272,538 05 2	276,552 99 1
" Road "	364,715 12 1	243,070 49 1
" Rail Road "	366,072 06 5	367,588 76 1
Total County Taxes	$2,762,305 02 8	$2,232,294 00 0

IV. OTHER LOCAL TAXES.

	1855.	1856.
For Township Expenses,	$ 302,841 50 0	$ 278,009 62 6
" Schools and School Houses,	1,246,346 00 8	1,285,938 94 8
" City and Town Expenses,	1,194,093 57 5	1,090,076 84 00
" Other Special Purposes,	200,336 91 7	184,917 26 3
Total Township, City and Special Taxes.	2,943,618 00 0	2,838,942 67 7
Delinquencies and Forfeitures,	493,781 35 3	312,144 41 8
Total Local Taxes,	6,199,704 38 1	5,383,381 09 5

V. RECAPITULATION.

	1855.	1856.
Total County Taxes,	$ 2,762,305 02 8	$2,232,294 00 0
Total Township, City and Special Taxes,	2,943,618 00 0	2,838,942 67 7
Delinquencies and Forfeitures,	493,781 35 3	312,144 41 8
Total Local Taxes,	6,199,704 38 1	5,383,381 09 5
Total State Taxes,	2,754,807 51 6	2,626,132 83 0
Excess of Local over State Taxation,	3,444,896 86 5	2,757,248 26 5
Total Taxes on Duplicate,	8,954,511 89 7	8,009,513 92 5

The attention of the Legislature was earnestly invoked by my predecessor, to the large excess of County, Municipal and other local taxes, over the taxes for State purposes. That disproportion has been, in some measure, corrected by the prudent Legislation of the last session; but it is worth your consideration whether some further Legislation may not be usefully directed to the same end.

The Report of the Commissioners of the Sinking Fund is not yet completed, but will soon be laid before you. It will contain full information in relation to their proceedings under the act of April 8, 1856, authorizing a new loan, for the payment of the debt of $2,423,359 79, payable at the pleasure of the State after the 15th inst. Proposals for this new loan, fixed by the Commissioners at $2,400,000, were invited by advertisement in the leading journals of Europe and America, and, on the 1st of October, 1856, it was awarded to the highest bidder for the whole amount, at a premium of three and a half per cent. All the Bonds of the old loan which have been presented for payment, have been promptly redeemed; and the debt payable after 1856 will soon be entirely extinguished.

The experience of the State, in this transaction, however, indicates the danger of relying upon new loans for the payment of maturing debts. It was confidently anticipated that this loan would command a premium of at least nine or ten per cent.; while the premium actually realized was only three and a half. It is not difficult to conceive of a state of the money market in which the Bonds of the State could not be negotiated at par. In such case a resort to a new loan would be attended with great pecuniary loss.

It is the part of wisdom to guard against the occurrence of such an exigency, and I therefore suggest the expediency of providing, by seasonable and suitable legislation, for the debt of six millions four hundred and thirteen thousand three hundred and twenty-five dollars, which will be payable after 1860. To raise the whole amount by taxation during the four years which will intervene before it can be paid, would impose too serious burdens upon the people. I recommend, therefore, the sale of such stocks and other property of the State as can be disposed of for its real value, and the appropriation of the proceeds of the sale, together with the proceeds of such a rate upon the grand list as will produce the needed sum, to the payment of at least one half the debt; distributing the remainder over so many of the following years as will bring its payment within the reach of moderate taxation. As every bond is payable at the pleasure of the State after 1860, the right to do this seems unquestionable.

The condition of the Sinking Fund demands your attention. The Constitution provides that no tax shall be levied except in pursuance of law, and that every law imposing a tax, shall state, distinctly, the object of the same, to which only it shall be applied. The same instrument provides for the creation of a Sinking Fund, sufficient to pay the accruing interest on the State Debt, and to reduce the principal, annually, by a sum not less than one hundred thousand dollars, increased by six per cent. compounded annually. The act of March 14, 1853, designated the revenues which should constitute the Sinking Fund, and required the Auditor of State to set apart, annually, as a specific fund for the payment of the principal of the debt, one hundred thousand dollars, in 1853, and in each subsequent year, the same sum, increased by compounding annually at six per cent. The act of May 1, 1854, directed the levy of one and a quarter mills on each dollar of the grand list of that year, to be applied to the payment of interest on the debt; and a further levy of one mill on the grand list of 1855, for the same purpose.

Under these constitutional and legislative provisions, the Sinking Fund was created and organized; but the revenues appropriated to it, have not been kept distinct from other moneys in the Treasury, or reserved from other applications. The act of May 1, 1854, provided for the transfer, in a contingency then apprehended, of the sum of $130,000 from the Sinking Fund to the General Revenue; and the act of April 11, 1856, authorized similar transfers, to the amount of $554,809 32. Under this last act transfers have been made to the General Revenue and to the

Canal Fund, to the amount of $160,000. The natural consequence of this legislation, and this practice, has been the absorption of the Sinking Fund balances in the general expenditures. Thus, according to the Report of the late Auditor, there was, on the 15th November, 1855, an apparent balance, to the credit of the Sinking Fund, of $537,499 06. But it must be observed that this balance constituted part of the general balance of $703,370 08, said, by the Auditor, to be "awaiting legislative appropriation" to the discharge of "temporary outstanding liabilities," and "to the necessary expenditures" of 1855–6. I have already shown that the payment of the debts of 1854–5, incurred for current expenses, more than absorbed all that was available of this reported balance. In like manner the present Auditor reports a general balance, to the credit of the Sinking Fund, on the 15th November, 1856, of $481,749 06; while the same officer reports the total general balance, on that day, including the Sinking Fund balance, as $579,517 59, of which only the sum of $350,950 63 was then available; and this sum constituted the only fund for the payment of current demands of every description upon the Treasury.

In view of these things I think it my duty to recommend the levy of a sufficient rate upon the grand list to restore to the Sinking Fund the sums which have been transferred from it, or in any way diverted to other uses, and to increase it to the full extent of the constitutional requirement. And I also recommend such legislation as will ensure the future reservation of the entire fund from every use except that of paying the interest and principal of the Public Debt, and the safe investment of that part specially applicable to the reduction of the principal, until wanted for that purpose.

The chief sources of our Public Income are the Grand Levy; Charter Taxes of Banks; Proceeds of Public Works; Collections of Surplus Revenue loaned to Counties; Sales of School and Ministerial Lands held in Trust; Sales of Lands granted to the State in aid of Improvements, and otherwise acquired; Dividends of Stocks; Convict Labor; Payments by the General Government on account of the Three per cent. Fund; and Licenses and Auction Duties.

Some of these sources of revenue are nearly exhausted; others were never productive; and the receipts from others are in the nature of loans rather than of income.

Only about forty thousand acres of land in Ohio yet remain the property of the General Government. Very little more can be expected therefore from the State's three per cent. proportion of their sales. Not much land belonging to the State remains unsold. The amount of Surplus Revenue unpaid by Counties, is reduced to $206,349 77. The proceeds of convict labor are absorbed in the support of the Penitentiary, and avail nothing to the General Revenue. And the proceeds of the School and Ministerial Lands, as they accrue, become part of the Irreducible Debt, upon which the State is bound to pay six per cent. interest to the use for which they were granted.

These facts admonish us that for the expenses of the State Government, of the Public Institutions, and for the payment of the State Debt, our main reliance must hereafter be upon the contributions of the people, in the form of Taxes. They require us to husband every remainin resource, and demand the strictest economy in every department of expenditure.

No means exist of ascertaining the quantity of lands remaining unsold, whether belonging to the State, or held in trust. I recommend the provision of such means.

I suggest, also, the expediency of such legislation as will expedite and ensure the reimbursement to the State of the unpaid balances of Surplus Revenue, yet remaining with the Counties.

When Ohio came into the Union, she relinquished the right to tax the lands of the United States within her limits, in consideration, among other things, that not less than three per cent. of the proceeds of all sales, past or future, should be paid to the State, to be applied in laying out roads. This is the origin of what is known as the Three per cent. Fund. The General Government has only accounted for the State's proportion of lands sold since the compact, and sold for money. In my judgment, the spirit, if not the letter of the compact, entitles the State to the same proportion of the sum which would have been produced by the sale, at not less than the minimum rate of a dollar and a quarter an acre, of all lands granted for Military services, or granted or reserved to Individuals, Companies, and Corporations, for their own use and benefit. The quantity of such lands, according to the Commissioner's statement, herewith transmitted, is 10,642,540 acres. A large sum, therefore, if my view of the matter is correct, is due to the State from the General Government, and it is worthy of your consideration whether some measures

should not be adopted to secure the recognition and payment of this claim. Its equity is the more apparent, when it is considered that of al the land States, Ohio has been the least liberally dealt with by the Federal Government. Every other of these States has received much larger grants of land in aid of public improvements than Ohio. Nearly every other, instead of three per cent. of the proceeds of sales, has received five. Minnesota and all the new Territories, instead of one section in each Township for the use of schools, have received two. Ohio does not complain of this liberality to other States and Territories. By her Senators and Representatives she has sanctioned it. She only demands justice for herself.

After your adjournment in April last, I received from the late State Librarian a very interesting report upon the boundary between Ohio and Pennsylvania, made under an appointment by my predecessor, in pursuance of a resolution of a former General Assembly. I now lay the Report before you. It will be found to embody much valuable information concerning our Eastern boundary, which is a continuation from the Ohio to Lake Erie, of a due North line, drawn from the Western termination of Mason's and Dixon's Line between Pennsylvania and Virginia. It will be for the Legislature to determine what compensation, if any, shall be made to the late State Librarian for this special service.

The Report of the Board of Public Works will advise you fully in respect to the management of the important public concerns committed to their charge. The unusual drouth of the past season has greatly hindered the navigation of the Canals, in consequence of which the gross revenues have been reduced from $468,831 93 in 1854–5, to $427,813 09 in 1855–6. Much the greater portion of this diminution appears in the receipts of the Miami and Erie Canal, the reasons of which are fully stated by the Board. The nett result for 1855–6 is as follows:

Nett Receipts as returned to the Auditor of State		$388,463 92
Disbursements for Repairing, Superintendence, &c.	$401,498 00	
Estimated amount paid, but not properly chargable to this year	75,833 56	
Making current expenses for 1855–6		$225,664 44
Showing a Surplus of Receipts over Current Expenditures of		$62,799 48

It is the opinion of the Board that, notwithstanding the unfavorable results of the past year, the Canals cannot fail, under a system of energetic and economical management, to yield a very considerable nett revenue to the State. I respectfully commend their reasons in support of this opinion, and the several suggestions of their Report, to your favorable consideration.

The Report of the Directors of the Penitentiary presents a clear account of the condition of that Institution. It is gratifying to find that the working of the act of April 8, 1856, concerning the Penitentiary, has fulfilled, in most respects, your judicious and benevolent intentions. Some modifications are suggested by the Directors which deserve attention. Various other suggestions of this Report will doubtless attract your notice, and especially those which relate to the Accounts, Receipts and Revenue, and to the impolicy of employing convicts upon the New State House, or otherwise outside of the Penitentiary walls.

In pursuance of the statutory provisions in relation to insane convicts, and in the absence of any proper accommodations for such persons within the Penitentiary, I have suspended the sentences of six prisoners, ascertained, upon proper inquiry, to be insane, and have directed their transfer to the Asylums of the Districts within which they were respectively convicted.

For the annual history of the Lunatic Asylums and of the Asylums for the Deaf and Dumb and for the Blind, and for an account of their condition at the close of the year, I refer you to the reports of the several Boards entrusted with their management. These Reports will be found to contain very many interesting facts, and many judicious and important practical views. I do not doubt that you will cheerfully respond to the proper demands of these Institutions to the full extent permitted by a just regard to the financial condition of the State, and to other equal claims upon the Treasury. It is gratifying to observe that the expenses of each Institution during the year have been less than the appropriations for their support. I particularly commend to your attention the economical use of the appropriation of ten thousand dollars for a dormitory for the Deaf and Dumb, to be hereafter converted into workshops. The purpose of the appropriation has been most satisfactorily accomplished, and a balance of about four thousand dollars remains in the Treasury. This circumstance, doubtless, will have its proper weight with you when considering the expediency of entering without further

delay upon the construction of the new Asylum Edifice, the need of which has been so long acknowledged.

The Report of the Commissioners of the New State House will exhibit the progress of the work and the disbursements on account of it during the last year. It is with great pleasure that I direct your attention to the careful economy, thorough work and substantial progress which have distinguished their administration. Your own observations, now that your sessions are held in the new building, will satisfy you as to the character and condition of the work. The fact that of the ninety thousand dollars appropriated for this service, more than forty-six thousand remained unexpended at the close of the fiscal year, sufficiently attests the economy of the management.

The nature and magnitude of the trust committed to the Quarter Master General, and the manner in which the duties of his office have been performed during the past year, will appear from the Report of that officer. The suggestions of this Report, and particularly that relating to the construction of a State Arsenal, deserve your consideration. The proceeds of the old Penitentiary grounds may be advantageously applied to the purchase of a site and the erection of the necessary buildings; or the Legislature may direct the location of the arsenal upon a part of these grounds, and the application of the proceeds of the residue to construction. I recommend the discontinuance of the per diem allowed to the Quarter Master General, and the allowance of a fixed salary sufficient to compensate fairly for the time, attention and intelligence necessary to the proper performance of his duties.

In this connection I beg leave to direct your attention to the laws concerning the Militia. The known existence of an organized public force, competent to the enforcement of law and the defence of right, is among the surest guaranties of order and security. In all emergencies requiring military force, the States of the Union must rely on the patriotism of their militia. A wise regard to these considerations dictated the provisions of our State Constitution relating to this subject. To carry out these provisions and give them due effect, legislation is indispensable. For the want of it, the Militia of the State is in danger of total disorganization; the public arms, a valuable property, are exposed to danger and loss; and in contingencies, not impossible, various public interests may suffer serious detriment. I venture to express the hope that the necessary legislation

on this subject will constitute one of the claims of this General Assembly to the approval of their constituents.

I take great pleasure in laying before you the Report of the Commissioners appointed under the act of April 7, 1856, providing for the establishment of the Ohio Reform School. The act required that two of the three Commissioners should visit three of the principal Reformatory Institutions of the United States, and institute all necessary observations and inquiries, and that all should unite in reporting the result to the Legislature. The Commissioners have more than executed their trust. Instead of two, all have visited, not three only, but all the principal Institutions in our own country, and one of their number, at his own expense, has visited the principal instiutions in Europe. Their Report exhibits the fruit of their extended researches and inquiries, and commends itself to your most favorable regard. The documents collected by the Commissioners and now placed at your disposal, embody nearly everything that is known concerning Reformatory Schools. For these services no charge has been made against the Treasury beyond those incident to a literal execution of the law; and more than one-third of the appropriation remains unexpended.

The Report of the Commissioner of Common Schools has not yet been received. It will probably be ready by the 20th inst., at which time it has been heretofore required, and will be promptly laid before you. In the mean time I need not remind you of the indispensable necessity of adequate Public Instruction to the welfare and security of society. No public investment is so safe or so fruitful as that which is made in the education of the people. No persons better deserve the esteem and support of the State and the People than the Teachers of our youth. No essential modifications of the present school law are, in my judgment, demanded by the general sentiment, except such as will increase its efficiency without augmenting its expense. There is, however, a prevailing opinion, that, under present circumstances, Township Libraries may be substituted, with advantage, forDistrict Libraries; and I would further suggest that the Library at each County Seat should be made a County Library, and supplied as far as possible with the published Documents of the State and National Governments. For the supply of the State Documents you can make the necessary provision; a little attention on the part of Senators and Representatives in Congress will ensure a full supply of National Documents.

The beneficial results of the act requiring the Public Reports to be made to the Governor and printed in advance of the meeting of the Legislature, suggest a farther application of the same principle. The Constitution requires the Governor to communicate to the General Assembly at every session the condition of the State, and to recommend such measures as he may deem expedient. It, also, requires him to see that the laws are faithfully executed. To enable him the better to fulfil this injunction, he is authorized to require information in writing from the officers of the Executive Department upon any subject connected with the duties of their respective offices. Would it not be well, in order to give more complete effect to these constitutional provisions, to require the Boards and Officers in charge of the different departments of the public service, to report their transactions and condition quarterly to the Governor? Such an enactment would concentrate in the Executive Office full information, accessible to the people, concerning all the public interests, while it would enable the Governor to fulfil his constitutional obligations with more satisfaction to himself and with more advantage to the State. Would it not be well, also, to prescribe an uniform rule in respect to the times for making all reports? At present some are required to be made at the close of the fiscal year; some at other periods; some biennially; some annually, and some semi-annually. It would conduce greatly to the introduction of order and responsibility into public affairs, if all reports should be required to be made on the twentieth days of November, February, May, and June, of each year; the November report embracing all the transactions of the fiscal year, and the other Reports only those of the preceding quarter.

Permit me now to invite your attention to a few topics, intimately connected with the public welfare, but not discussed in any of these reports.

The state of the law in relation to Married Women deserves your consideration. Our legislation is already honorably distinguished by its provisions in that behalf: but much remains to be done. Many of the beneficent provisions of the civil law might be transferred, with benefit, to our code. It is difficult to perceive any reason why a wife, allowed to sue separately from her husband, should be required to sue in the name of her next friend. Instances not unfrequently occur of gross oppression through the absolute control given to the husband over personal estate, and particularly over household goods. I can perceive no valid reason why the wife may not be allowed a property in personalty and

especially in goods pertaining to the house, and protected in the possession by sufficient and summary remedies. These are but samples of needed reforms in this direction. I commend the whole subject to your best reflections.

Defects in the laws regulating practices in criminal cases often give rise to serious embarrassments in the administration of justice, and occasion great expense and inconvenience to the counties immediately concerned. I suggest the expediency of revising and codifying those laws.

The inadequacy of judicial compensation is much complained of. High salaries are inconsistent with the true idea of a republican government; but fair rewards for skilled labor are due for public as well as for private service. Perhaps the best test of proper compensation is the disposition of thoroughly competent persons to take and hold office at the compensation allowed. Tried by this test it must be admitted that the salaries of the Supreme Judges, and, in some parts of the State, of Common Pleas Judges, are insufficient. Learned and able Judges of the Supreme Court have resigned their places because unable to serve for the compensation allowed; and in some of the Counties it is impossible to induce men of large experience, learning and acquirement, to accept judicial positions. In considering this subject it may be well to remember that the whole amount of the salaries of all the Judges of the Supreme Court and Common Pleas Courts, is less than the annual cost of the three Lunatic Asylums.

Alleged abuses of the elective franchise will probably claim your attention. The right of suffrage is sacred. It is the right to vote which makes the citizen a sovereign. It is the right which of all political rights is to be most scrupulously guarded and most resolutely defended. Every citizen, native or naturalized, is entitled to the most absolute freedom and security in the exercise of it. Frauds upon this right merit the severest reprobation; for the fraudulent voter cheats the people of their rightful control of their own affairs. Every suitable measure for the prevention of such frauds will deserve your earnest attention. It will only be needful to beware lest the proposed remedy for one class of evils become the source of others still more grievous.

The subject of amendments of the State Constitution must necessarily come under your consideration at the present session. Upon a former occasion I submitted to you my views in favor of amendments pro-

viding for an impartial distribution of political power among all portions of the State and for the adequate representation of every interest, by Single Districts; and securing effective supervision over every department of administration and a ready adaptation of legislation to the wants and wishes of the people, by Annual Sessions.

Much dissatisfaction is expressed with the constitutional organization of the Judiciary, and particularly with the system of District Courts. Some relief from the inconveniences complained of may be gained by repealing the legislative provisions for jury trials in the District Courts, and by relieving them from holding more annual terms than the Constitution absolutely requires. Whether for the present the evils of the existing system shall be redressed as far as possible by these or other expedients, or an attempt shall be made to effect a more radical cure through an amendment of the Constitution, I submit, respectfully, to your better judgment.

Other amendments of the Constitution may, doubtless, be made with advantage. I suggest only those which seem to be most essential, and most generally demanded by the public sentiment.

The internal concerns and interests of the State will chiefly engage your deliberations: but its relations to the National Government, and to the other members of the Confederacy, cannot be altogether disregarded.

Having surrendered to the Federal Government, among other great prerogatives, the important powers of maintaining an Army and Navy, and of raising revenue by duties on imports, it becomes the duty of the States to observe its action with even jealous vigilance.

The tendency to wasteful extravagance and to centralization of power, which alarmed the fears of the early patriots, has, of late years, become more and more conspicuous. Enormous revenues, contributed by the people, almost unconsciously, in the form of enhanced prices, foster in the National Legislature a contempt of economy, and encourage combinations for the pillage of the Treasury under delusive pretexts of public good.

Ohio, paying one-tenth of these contributions, has a substantial interest in these matters, which should not be overlooked; and it cannot be deemed unfit that her General Assembly should give expression to her demand for retrenchment and reform, and for a reduction of revenue, the only sufficient security for both.

Immediately after the close of your late session, in conformity with your instructions, I transmitted to the Governor of each State a copy of Joint Resolutions of the General Assembly relative to Kansas affairs. The Governor of Mississippi has returned the copy transmitted to him, in pursuance, as he states, of the requirements of a Joint Resolution of the Legislature of that State, of which he transmits a copy. I submit his communication to your consideration without comment.

The relations of the National Government to Slavery, still engross a large share of the public attention; but I have little to add to the considered views which I have already expressed.

That Slavery is contrary to reason and natural justice; that it is of such a nature that nothing short of positive law can sustain it; that no power to enact such laws has been granted to the National Government; and that Slavery, therefore, outside of Slave States, can have no valid legal sanction, seem to me incontrovertible propositions.

The original policy of the country was in harmony with these ideas. It contemplated the exclusion of Slavery from National Territories; the exertion of the legitimate influence of the General Government on the side of Freedom; and the amelioration and final eradication of the great evil by the action of the State Governments, without intervention or interference by National Legislation.

"The abolition of Slavery,"—said Mr. JEFFERSON, at the commencement of the Revolutionary struggle—"is the greatest object of desire in these colonies." "It is the pride and boast of America,"—said Mr. MADISON, speaking at the close of the war in behalf of the American Congress—"that the rights for which she contended were the rights of human nature." "There is but one proper way,"—said GEORGE WASHINGTON, speaking at a still later period of the abolition of Slavery—"by which it can be accomplished, and that is by legislative authority, and this, so far as my suffrage can go, shall not be wanting."

We need not hesitate to walk in the paths marked by the footsteps of the Fathers.

Within the last two months I have received several communications from emigrants to Kansas from Ohio, earnestly appealing for protection and aid. Of these appeals one was in the form of an affidavit from eleven citizens imprisoned under various charges at Lecompton. Ten of these prisoners, though formerly citizens of Ohio, are now residents in

Kansas. The eleventh, an old man of seventy years, a soldier near half a century ago under Jackson, was still a citizen of Ohio, on a visit to some friends in the Territory. The real offence of all was the defence of Free State homes against Slave State invasion. Their seizure, their imprisonment, their indictments, and their cruel treatment, constitute a dark chapter in the dark history of wrong and outrage in Kansas.

On receiving this appeal I thought it right to address an earnest letter to Gov. Geary in behalf of the prisoners. I also sent for their immediate relief a sum of money contributed by private beneficence, which, however, failed to reach its destination in consequence of the necessary return of the gentleman to whom it was entrusted without having entered the Territory. It gives me pleasure to inform you that most of these prisoners have since escaped or have been acquitted. I am not aware that any of them yet remain in confinement.

Another of these communications comes from a committee of Ohio Settlers in Kansas, representing, that the emigrants from Ohio number several hundreds: that they emigrated to Kansas in the full faith of peace and protection: that they held no doctrines other than such as are common in Ohio: that, coming from a free State and holding such sentiments, they are practically disfranchised by odious test oaths: that many of their number have been killed; many robbed; and all subjected to grievous indignities and injuries: that they have appealed in vain to the Federal Government for protection: and that the strife, which has at present ceased, may recommence, at any moment, when a new attempt shall be made to enforce the spurious code of an alien legislature. In the event of a new outbreak, these settlers ask the protection of Ohio.

The other communications detail the circumstances of particular outrages.

These representations cannot be properly disregarded. As an equal member of the confederacy, Ohio is entitled to demand for her citizens emigrating to the Territories, free ingress and egress by the ordinary routes, and complete protection from invasion, from usurpation and from lawless violence. If the General Government refuse this protection, I cannot doubt the right or the duty of the State to intervene.

There are good grounds, however, for the hope that the worst is over in Kansas. From the Free State press of the Territory and from other reliable sources, assurances are received that peace, order and security are re-established, for the present at least, within its limits. Many of the most dangerous of the marauders have left the Territory, and a disposi-

tion is manifested by the present Territorial Governor to respect and protect the rights of Free State settlers. There is reason to expect that the most obnoxious acts of the Pseudo-Legislature will be abrog ated,and that the bad design of the repeal of the Missouri Prohibition will be defeated by the virtue and intelligence of the People.

Meanwhile there is much distress occasioned by the civil disturbances which requires relief. It is gratifying to observe that the propriety and duty of affording this relief is recognized by the humane and liberal of all parties. The people of Ohio will, I doubt not, approve whatever you may find it expedient and necessary to do in order to protect the emigrants from the suffering, disease and death to which they are exposed.

Such, gentlemen, are the views which I have thought it my duty to submit to you. I shall rejoice if they meet your approval and the approval of our common constituents. Should it be otherwise, I shall still rejoice if, supplying my defects and correcting my errors, your legislation shall be wiser and better than my suggestions. Among the States of the Union, Ohio holds no secondary place. Surpassed by many in extent and by two in population and wealth, she confesses inferiority to none in the elements which constitute the true greatness of a State. Great in power, and great in resources, she is greater still in her unsullied faith, in her zeal for education, in her sympathy with suffering, in her fidelity to right, and in her devotion to liberty. These are the jewels in her crown of honor. Let it be our honorable ambition to preserve their brightness untarnished and undimned.

S. P. CHASE.

COLUMBUS, January 5, 1857.